

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

CHARLES DAVID EARWOOD

PETITIONER

v.

NO: 3:18-CV-00157 BSM-JTR

**MIKE ALLEN, Sheriff, Crittenden
County Detention Center**

RESPONDENT

ORDER

The recommended disposition [Doc. No. 7] submitted by Magistrate Judge J. Thomas Ray and Charles David Earwood's objections have been received. After *de novo* review of the record, the recommended disposition is rejected. On August 24, 2018, Earwood was ordered to either pay the \$5 filing fee or file a properly completed application to proceed *in forma pauperis* within thirty (30) days. Doc. Nos. 3 & 6. On August 31, 2018, Earwood filed a notice requesting that the Crittenden County Detention Facility ("CCDF") forward the \$5 fee on his behalf. Doc. No. 5. On September 14, 2018, Earwood again was ordered to pay the fee or file an application, this time by October 5, 2018. Earwood failed to comply.

Accordingly, Earwood is directed, by November 19, 2018, to either pay the \$5 filing fee or submit a properly completed application to proceed *in forma pauperis*. As Judge Ray explained in his September 14, 2018 order [Doc. No. 6], Earwood may provide a copy of this order to officials at CCDF and request that they send the \$5 filing fee to the clerk or give Earwood \$5 from his account so that he may send the fee himself. Earwood is advised that his case will be dismissed for failure to prosecute if he fails to comply with this order. *See*

Local Rule 5.5(c)(2); Fed. R. Civ. P. 41(b).

The clerk is directed to send Earwood another copy of Judge Ray's August 24 and September 14, 2018, orders along with this order.

IT IS SO ORDERED this 5th day of November 2018.


UNITED STATES DISTRICT JUDGE